

# **EXHIBIT 4**



**SHENANDOAH**<sup>TM</sup>  
UNIVERSITY

November 20, 2018

Mr. Allen Bohnert  
[Allen\\_bohnert@fd.org](mailto:Allen_bohnert@fd.org)

Re: In re: Ohio Execution Protocol Litigation  
United States District Court for the S.D. of Ohio (Civil Action No. 2:11-cv-1016)

Dear Mr. Bohnert:

I received the subpoena to produce documents you issued to Shenandoah University (the "University") in the above-referenced action. Specifically, you requested "all materials, documents, or Electronically Stored Information (ESI) concerning, identifying, or otherwise related to Mr. Daniel E. Buffington . . ."

I have contacted the relevant individuals at the University who would know whether Mr. Buffington works (or worked) at the University, and who also would have any related materials, documents or ESI. Based on those discussions, it is my understanding that Mr. Buffington is not now, and has never been, an employee of the University.

Mr. Buffington has spoken on the University campus on two separate occasions within the past two years. On January 26, 2017, Mr. Buffington spoke about opportunities and business models for pharmacists in Ambulatory Care. On May 11, 2018, Mr. Buffington gave a speech at the University's Pharmacy School Hooding Ceremony similar to a graduation speech. Since he was a guest speaker, the University did not ask for or receive any documents related to the speeches.

In sum, the University does not have any materials, documents or ESI concerning, identifying, or otherwise related to Mr. Daniel E. Buffington, other than perhaps non-substantive documents related to his invitations to speak. I trust this response satisfies the subpoena. If you have any other questions, please don't hesitate to contact me at (540) 665-4515.

Sincerely,

Philip G. Evans  
General Counsel